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| STATE OF WISCONSIN | CIRCUIT COURT  BRANCH II | DANE COUNTY |
| Chris Brown,  Plaintiff,  vs.  Harriet Green,  Defendant. |  | Case No. 2018 CV 4674 |
| AFFIDAVIT IN SUPPORT OF PLAINTIFF’S  MOTION TO COMPEL DISCOVERY | | | |

STATE OF WISCONSIN

DANE COUNTY

Anne Schacherl, being first duly sworn, states as follows:

1. I am the Plaintiff’s attorney in this action and I am making this affidavit based upon my personal knowledge.

2. I make this affidavit in support of the Plaintiff’s Motion to Compel Discovery.

3. My office properly served Defendant with interrogatories by U.S. Mail on September 18, 2018.

4. In accordance with Wis. Stat. § 804.08(1)(b) the Defendant was required to answer these interrogatories on or before Monday October 22, 2018.

5. The October 22, 2018, deadline came to pass without the Defendant having supplied answers to our interrogatories or filing an objection to the same.

6. Our office called the Defendant on Tuesday, October 23; Wednesday, October 24; and Thursday, October 25. We received no response. We sent emails on each of the above days, and we received no response. We also sent a member of our team to the Defendant’s attorney’s office to discuss the interrogatories. They were unavailable.

7. On October 26, 2018, our office sent a letter to the office of the Defendant’s attorney. The letter noted our attempts to contact. The letter also noted that the Plaintiff will extend the deadline to November 2, 2018. Lastly, the letter explained that our office would be seeking expenses if forced to file a Motion to Compel. We received no response.

8. As of the date of this Affidavit November 5, 2018, the Defendant still has not responded to our interrogatories in any fashion.

9. To date, my client has incurred actual attorney fees in the amount of $812.50 calculated at $325 per hour for 2.5 hours of work in having to bring this Motion to Compel. We believe that pursuant to Wis. Stat. §804.12(1)(c)1, the Defendant or her attorney, Frank Zambo, should be required to pay these expenses.

10. I respectfully request that the court order the Defendant or her attorney, Frank Zambo, to respond to my client’s interrogatories and pay the costs, including actual attorney fees that my client has incurred in having to bring this Motion to Compel.



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Anne Schacherl

Signed and sworn to before me on

this 5th day of NOVEMBER, 2018

By Anne Schacherl.



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Notary Public, State of Wisconsin

My commission is permanent.